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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 14-00043 JST
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO CONTINUE SENTENCING
	)	HEARING DATE TO JANUARY 9, 2015
vs.	)	
	)	
	)	Hearing Date: December 19, 2014
SANTWAN EDWARDS,	)	Time: 9:30 a.m.
	)	
Defendant.	)	
	)	
	)	

The above-captioned matter is set on December 19, 2014 before this Honorable Court for a sentencing hearing. The parties jointly request that the Court continue the matter to January 9, 2015, at 9:30 a.m., for the reasons set forth below.

On January 23, 2014, the Grand Jury charged Mr. Edwards in one count as a felon in possession of a firearm, a violation of 18 U.S.C. § 922(g). Mr. Edwards faces a maximum sentence of 10 years for this offense. The magistrate court released Mr. Edwards on an unsecured bond and he remains out of custody. Since his release from custody, Mr. Edwards has been in full compliance with the terms of his pretrial release.

Mr. Edwards pleaded guilty to the Indictment on July 18, 2014. He does not have a plea agreement with the government. At his sentencing hearing, Mr. Edwards plans to request a

1 below-Guideline sentence under 18 U.S.C. § 3553 and will present mitigation evidence  
2 concerning his personal history, his background and character.

3 The parties agree that a short continuance until January 9, 2015 is appropriate to allow the  
4 parties to prepare for the sentencing hearing. This is the parties' second request for a sentencing  
5 continuance and will be the last request. The basis for this request is that counsel for Mr.  
6 Edwards is continuing to gather mitigation evidence that needs to be presented to the Probation  
7 Office for the Pre-Sentence Investigation Report. Defense counsel is currently in trial before the  
8 Honorable Phyllis J. Hamilton until the end of the week and has been unavailable to prepare Mr.  
9 Edwards' case. In addition, government counsel was recently reassigned to this case and would  
10 like additional time to prepare for the sentencing hearing. For these reasons, the parties request a  
11 continuance until January 9, 2015.

12 The Probation Officer assigned to this case is in agreement with this continuance and is  
13 available on the requested date. Finally, because Mr. Edwards has pleaded guilty, the parties are  
14 in agreement that the Speedy Trial Act does not apply.

15  
16 DATED: November 10, 2014

\_\_\_\_\_  
/S/  
ROGER DINH  
Assistant United States Attorney

17  
18  
19 DATED: November 10, 2014

\_\_\_\_\_  
/S/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby  
FINDS:

1. Given that counsel for Mr. Edwards needs additional time to gather mitigation evidence for the pre-sentence investigation and has been unavailable to prepare Mr. Edwards' case;

2. Given that new government counsel has been assigned to this case and is in agreement with this request for a continuance; and

3. Given that Mr. Edwards has pleaded guilty and that the Speedy Trial Act does not apply;

Based on these findings, IT IS HEREBY ORDERED that the sentencing hearing date of December 19, 2014, scheduled at 9:30 a.m., is vacated and reset to January 9, 2015, at 9:30 a.m., for sentencing.

DATED: November 12, 2014

